

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**RICHARD MILLER**

*Plaintiff,*

v.

**RAYTHEON COMPANY,**

*Defendant.*

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**CIV. A. NO. 3:09-cv-0440-O  
ECF**

**PLAINTIFF'S WITNESS LIST**

TO THE HONORABLE REED O'CONNOR:

In accordance with the Court's March 25, 2009 trial setting order, its June 21, 2010 order, and Local Rule 26.2, Plaintiff Richard Miller submits the following list of witnesses whom he anticipates presenting at trial. Plaintiff reserves the right to present additional witnesses for purposes of impeachment, rebuttal, or in response to Raytheon Company's witness list.

**1. Probable Witnesses**

	<b>Witness</b>	<b>Est. Length</b>	<b>Sworn</b>	<b>Testified</b>
1.	<b>William E. Anderson (deposed)</b> c/o Defendant's counsel  Mr. Anderson is Vice President of Human resources for Raytheon's SAS division and may testify about the company's RIF procedure, long-service rules, and other policies and procedures.	0.5		
2.	<b>Vivek Kamath (deposed)</b> c/o Defendant's counsel  Mr. Kamath is a Raytheon Vice President and was Vice President of SCM in late 2007 and 2008. He may testify about his role in the	0.75		

	<p>March 2008 RIF, about the company's RIF procedure, long-service rules, and other policies and procedures; about exhibits reviewed and examined in his deposition; and about decision-making concerning SCM positions open in early 2008. Without limitation, Kamath may testify about his role in filling the lead Supply Chain Manager for ISR Systems position in early 2008.</p>			
3.	<p><b>Greg Meihn (deposed)</b>  c/o Hal K. Gillespie  Gillespie, Rozen &amp; Watsky P.C.  3402 Oak Grove Ave., Suite 200  Dallas, Texas 75204  Tel: (214) 720-2009</p> <p>Mr. Meihn may testify concerning discussions he had with Raytheon concerning Miller's termination and available positions for which Miller might be qualified.</p>	0.75		
4.	<p><b>Cheryl Miller (deposed)</b>  c/o Hal K. Gillespie  Gillespie, Rozen &amp; Watsky P.C.  3402 Oak Grove Ave., Suite 200 Dallas, Texas 75204  Tel: (214) 720-2009</p> <p>Mrs. Miller may testify concerning the economic and non-economic harm that Mr. Miller's termination has caused to him and their family. She may also testify about discussions with Mr. Miller and her observations of the circumstances of his termination and his failure to be considered for rehire.</p>	1.5		
5.	<p><b>Richard Miller (deposed)</b>  c/o Hal K. Gillespie  Gillespie, Rozen &amp; Watsky P.C.  3402 Oak Grove Ave., Suite 200 Dallas, Texas 75204  Tel: (214) 720-2009</p> <p>Mr. Miller will testify about his employment with and termination from Raytheon including, <i>inter alia</i>, his performance, compensation, job duties and experiences, and qualifications. He will also testify about his termination, discussions with supervisors and Human</p>	6.0		

	Resources during and following termination; his efforts to remain at Raytheon; and the company's policies and procedures. In addition, Mr. Miller will testify about the harm that his termination has caused him and his family, and about his extensive but unsuccessful efforts to obtain employment.			
6.	<p><b>Amos Wilson</b> (deposed) Plano, Texas (<u>see</u> Wilson depo. 5:3-11)</p> <p>Mr. Wilson may testify about his employment history, both with Raytheon and with prior employers; his duties and experiences while employed with Raytheon; his involvement with the March 2008 RIF, including discussions with Raytheon business and HR leaders before and after the RIF; the March 2008 RIF, including the identity and ages of impacted individuals; discussions with Miller in the period surrounding Miller's termination; SCM positions available in 2008; Defendant's RIF procedure, long-service rules, and other policies and procedures; exhibits reviewed and examined in his deposition; and Defendant's discovery answers that he verified.</p>	1.5		
<b>TOTAL</b>		11.00		

## 2. Possible Witnesses

	<b>Witness</b>	<b>Est. Length</b>	<b>Sworn</b>	<b>Testified</b>
1.	<p><b>Lisa Crump</b> (deposed) c/o Defendant's counsel</p> <p>Ms. Crump may testify about her employment with Raytheon including, <i>inter alia</i>, her job duties and experiences, and qualifications; interactions with and observations of Miller; SCM positions available in 2008; decision-making concerning available SCM positions and discussions surrounding those positions; exhibits reviewed and examined in her deposition; and Defendant's policies and procedures.</p>	1.0		

2.	<p><b>James Lam</b> (deposed)</p> <p>Mr. Lam may testify concerning discussions with Greg Meihn following Miller's termination; steps that he may or may not have taken to locate available positions for which Miller qualified; and Defendant's policies and procedures.</p>	0.5		
3.	<p><b>Robert Lyells</b> (deposed) c/o Defendant's counsel</p> <p>Mr. Lyells may testify concerning his interactions with Miller during Miller's employment; decision-making surrounding the March 2008 RIF and discussions among management and HR concerning the RIF; his evaluation of Miller's performance; efforts to locate alternative positions for Miller in lieu of termination; the long-service review process; Defendant's discovery answers; documents reviewed and examined in his deposition; and Defendant's policies and procedures.</p>	1.0		
4.	<p><b>Allen Reid</b> (deposed) c/o Defendant's counsel</p> <p>Mr. Reid may testify concerning decision-making surrounding the March 2008 RIF and discussions among management and HR concerning the RIF; efforts to locate alternative positions for Miller in lieu of termination that may or may not have occurred; SCM positions available in 2008; decision-making concerning SCM positions filled in 2008; the long-service review process; the company's RIF procedure and other policies and procedures; Defendant's discovery answers that he verified; documents reviewed and examined in his deposition; and Defendant's policies and procedures.</p>	1.5		
5.	<p><b>Loretta Sweeney</b> (deposed) c/o Defendant's counsel</p> <p>Ms. Sweeney may testify about her employment with Raytheon including, <i>inter alia</i>, her job duties and experiences, and qualifications; interactions with and observations of Miller; SCM positions available in 2008; decision-making concerning available SCM positions and discussions surrounding those positions; exhibits</p>	1.0		

	reviewed and examined in her deposition; and Defendant's policies and procedures.			
6.	<b>Michael J. Wood</b> V.P. – Chief Accounting Officer c/o Defendant's counsel  Mr. Wood may testify about the company's net worth, revenue, and valuation.	0.5		
<b>TOTAL</b>		5.5		

3. **Record Custodian(s)(only if the need arises)**

	Witness	Est. Length	Sworn	Testified
1.	<b>Brenda Garza, Peter A. Robinson, or other Custodian of Records (not deposed)</b> U.S. Equal Employment Opportunity Commission 207 S. Houston St., 3 <sup>rd</sup> Floor Dallas, Texas 75202	0.25		
2.	<b>Custodian of Records (not deposed)</b> Raytheon Company c/o Defendant's counsel	0.25		
<b>TOTAL</b>		0.50		

4. **Expert witnesses**

	Witness	Est. Length	Sworn	Testified
1.	<b>Dr. J. Herbert Burkman (deposed)</b> c/o Gillespie, Rozen & Watsky, P.C. 3402 Oak Grove Ave., Suite 200 Dallas, Texas 75204  Dr. Burkman is expected to testify concerning Mr. Miller's economic damages, both present and future, as well as Raytheon's valuation.	1.0		
<b>TOTAL</b>		1.0		

DATED: June 23, 2010

Respectfully submitted,

GILLESPIE, ROZEN & WATSKY P.C.  
3402 Oak Grove Avenue, Suite 200  
Dallas, Texas 75204  
Tel: (214) 720-2009  
Fax: (214) 720-2291

/s/ James D. Sanford

Hal K. Gillespie  
*Attorney-in-Charge*  
Texas Bar No. 07925500  
hkg@grwlawfirm.com  
Yona Rozen  
Texas Bar No. 17958500  
yrozen@grwlawfirm.com  
Edith K. Thomas  
Texas Bar No. 24060717  
ethomas@grwlawfirm.com  
James D. Sanford  
Texas Bar No. 24051289  
jsanford@grwlawfirm.com

**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 23, 2010 he electronically submitted the foregoing document to the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case files system of the court. The electronic case files system sent a “Notice of Electronic Filing” to the following individuals, who have consented in writing to accept this Notice as service of this document by electronic means: Michael P. Maslanka, Esq., and Buena Vista Lyons, Esq., of FORD & HARRISON LLP, attorneys for Defendant Raytheon Company.

/s/ James D. Sanford

One of Plaintiff’s Counsel